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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

: Docket No. 1875-0532.3

STEPHEN C. JACOBSON et al.

Application No. 10/758,718

Filed: January 16, 2004

For: MICROFLUIDIC DEVICE AND : METHOD FOR FOCUSING, : SEGMENTING, AND DISPENSING : OF A FLUID STREAM :

Commissioner for Patents Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this Correspondence is being deposited on <u>June 16, 2004</u> with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER FOR PATENTS, Alexandria, VA 22313-1450.

June 16, 2004

Date of Certificate

Frances L. McMenamin

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

In compliance with the Duty of Disclosure set forth in 37 C.F.R. §1.56, Applicants are submitting herewith a Form PTO-1449 attached to this statement.

The present application claims the benefit of priority of copending nonprovisional application No. 09/759,590 ('590 application), filed January 12, 2001. The patents and other documents listed on the Form PTO-1449 are of record in the '590 application. Accordingly, copies are not enclosed herewith in accordance with 37 C.F.R. §1.98(d).

Applicants respectfully request that the listed information be fully considered during examination of this application.

Application of STEPHEN C. JACOBSON et al. Application No. 10/758,718 Docket No. 1875-0532.3

It is believed by the undersigned attorney that the provisions of 37 CFR §1.97(b) apply to the submission of this statement. Accordingly, no fee or certification is required.

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN A Professional Corporation

Vincent T. Pace

PTO Registration No. 31,049

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Enclosure: Form PTO-1449 (2 pages)

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FOREIGN PATENT DOCUMENTS

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| | wo | 98 | 1 | 0 | 2 | 6 | 7_ | 03/1998 | PCT | <u> </u> | l | <u> </u> |] |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) C.L. Rice et al., "Electrokinetic Flow in a Narrow Cylindrical Capillary", The Journal of Physical Chemistry, vol. 69, No. 11, Nov. 1965 D.C. Duffy et al., "Rapid Prototyping of Microfluidic Systems in Poly(dimethylsiloxane)", Analytical Chemistry, vol. 70, No. 23, Dec. 1, 1998 Hoopman et al., "Microchanneled Structures", Microstructures, Sensors, and Actuators, The American Soc. of Mechanical Engineers, DSC vol. 19, ©1990 D.J. Harrison et al., "Micromachining a Miniaturized Capillary Electrophoresis-Based Chemical Analysis System on a Chip", Science, vol. 261, Aug. 13, 1993 G. Blankenstein et al., "Flow Switch for Analyte Injection and Cell/Particle Sorting", Analytical Methods & Instrumentations, Special Issue µTAS, 1996

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| | | 5 | 8 | 8 | 2 | 4 | 9 | 6 | 03/1999 | NORTHRUP ET AL. | | | | | | |
| | | 5 | 7 | 3 | 3 | 4 | 4 | 2 | 03/1998 | SHUKLA | | | | | - | |
| | | 5 | 8 | 8 | 8 | 3 | 9 | 0 | 03/1999 | CRAIG | | | | | | |
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| | | 6 | 5 | 0 | 6 | 6 | 0 | 9 | 01/2003 | WADA ET AL. | | | | | | |
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